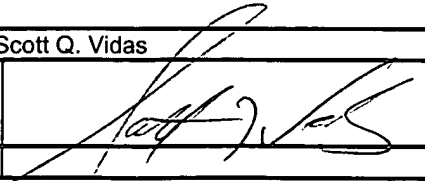


123103

14280 U.S. PTO

Vidas, Arr tt & Steinkraus Utility Patent Application Transmittal	Atty. Docket No		S63.2-11032-US01
	First Inventor		Robert Burgmeier
	Title:	MEDICAL DEVICE WITH VARYING PHYSICAL PROPERTIES AND METHOD FOR FORMING SAME	
	Express Mail Label No.		EV 392896244 us
Application Elements	Address To:	Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
<div>1. <input checked="" type="checkbox"/> Fee Transmittal Form Pages 1 <input checked="" type="checkbox"/> Check Included</div> <div>2. <input type="checkbox"/> Applicant claims small entity status</div> <div>3. <input checked="" type="checkbox"/> Specification (including 0pg cover sheet, 12pg description, 5pg claims and 1pg abstract) Pages 18</div> <div>4. <input checked="" type="checkbox"/> Drawings Pages 1</div> <div>5. <input checked="" type="checkbox"/> Oath or Declaration Pages 3<div>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</div><div>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d) (for continuation/divisional with Box 19 completed)</div><div>i. <input type="checkbox"/> Deletion of Inventor(s) – signed statement attached deleting inventors named in the prior application Pages</div></div> <div>6. <input checked="" type="checkbox"/> Application Data Sheet Pages 4</div> <div>7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & documents and check) Pages 2<div><input type="checkbox"/> Previously recorded on , Reel , Frames</div></div> <div>8. <input type="checkbox"/> Power of Attorney Pages<div><input checked="" type="checkbox"/> 37 C.F.R. 3.73(b) Statement (when there is an assignee) Pages 2</div></div> <div>9. <input type="checkbox"/> English Translation Document Pages</div> <div>10. <input type="checkbox"/> Information Disclosure Statement Pages<div><input type="checkbox"/> Copies of Citations (references)</div></div> <div>11. <input type="checkbox"/> Preliminary Amendment Pages</div> <div>12. <input checked="" type="checkbox"/> Return Receipt Postcard Pages 1</div> <div>13. <input type="checkbox"/> Certified Copy of Priority Document Pages</div> <div>14. <input type="checkbox"/> Nonpublication Request Pages</div> <div>15. <input checked="" type="checkbox"/> Constructive Petition Pages 1</div> <div>16. <input checked="" type="checkbox"/> Limited Authorization Pages 1</div> <div>17. <input checked="" type="checkbox"/> VAS Utility Patent Application Transmittal Pages 1</div> <div>18. <input type="checkbox"/> Other Pages</div>			
19. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet <div><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part Of prior application no.</div> <div>Prior Application Information: Examiner Group Art Unit</div> <div>For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.</div>			
20. TOTAL NUMBER OF PAGES <u>35</u>			
21. CORRESPONDENCE ADDRESS <div>CUSTOMER NUMBER 490</div>			
Name Scott Q. Vidas			
Signature 		Date 12/31/2003	

22387 U.S. PTO
10/749821

123103

FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1608.00)

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account:

Deposit Account Number: 22-0350

Deposit Account Name: Vidas, Arrett & Steinkraus

The Commissioner is authorized to: (check all that apply)

☐ Charge the fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	\$770.00
1002	340	2002	170	Design filing fee	----
1003	530	2003	265	Plant filing fee	----
1004	770	2004	385	Reissue filing fee	----
1005	160	2005	80	Provisional filing fee	----
SUBTOTAL (1)					(\$770.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
30	-20** = 10	X \$18.00	= \$40
Independent Claims	6	-3** = 3	X \$86.00 = 258
Multiple Dependent Claims			

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Name (Print/Type)	Scott Q. Vidas	Registration No.	30812	Telephone	952-563-3000
Signature		(Attorney/Agent)		Date	12/31/2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Complete if Known

Application Number	S63.2-11032-US01
Filing Date	Not Assigned
First Named Inventor	Robert Burgmeier
Examiner Name	Not Assigned
Art Unit	Not Assigned
Attorney Docket No.	S63.2-11032-US01

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge-late filing fee oath	----
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	----
1053	130	1053	130	Non-English specification	----
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	----
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	----
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	----
1251	110	2251	55	Extension for reply within first month	----
1252	420	2252	210	Extension for reply within second month	----
1253	950	2253	475	Extension for reply within third month	----
1254	1,480	2254	740	Extension for reply within fourth month	----
1255	2,010	2255	1,005	Extension for reply within fifth month	----
1401	330	2401	165	Notice of Appeal	----
1402	330	2402	165	Filing a brief in support of an appeal	----
1403	290	2403	145	Request for oral hearing	----
1451	1,510	1451	1,510	Petition to institute a public use proceeding	----
1452	110	2452	55	Petition to revive - unavoidable	----
1453	1,330	2453	665	Petition to revive - unintentional	----
1501	1,330	2501	665	Utility issue fee (or reissue)	----
1502	480	2502	240	Design issue fee	----
1503	640	2503	320	Plant issue fee	----
1460	130	1460	130	Petitions to the Commissioner	----
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	----
1806	180	1806	180	Submission of Information Disclosure Stmt	----
8021	40	8021	40	Recording of each patent assignment per property (times number of properties)	\$40.00
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	----
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	----
1801	770	2801	385	Request for Continued Examination (RCE)	----
1802	900	1802	900	Request for expedited examination of a design application	----
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$40.00)

Complete (if applicable)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Burgmeier et al
Title:	MEDICAL DEVICE WITH VARYING PHYSICAL PROPERTIES AND METHOD FOR FORMING SAME
Filed:	<input checked="" type="checkbox"/> concurrently herewith <input type="checkbox"/> on _____ and assigned Serial No. _____

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2-11032-US01

**CONSTRUCTIVE PETITION FOR EXTENSION OF TIME AND FEE
AUTHORIZATION PURSUANT TO 37 C.F.R. §1.136(a)(3)**

Applicant hereby requests that the United States Patent and Trademark Office treat any concurrent or future reply requiring a petition for an extension of time pursuant to §1.136 for its timely submission as incorporating therein a petition for an extension of time for the appropriate length of time.

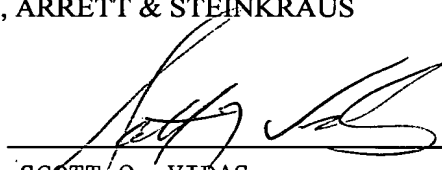
Applicant authorizes the Commissioner of Patents and Trademarks to charge all required extension of time fees that have not otherwise been paid to Deposit Account No. 22-0350.

Respectfully submitted,
VIDAS, ARRETT & STEINKRAUS

Date:

12/31/03

By:


SCOTT Q. VIDAS
Registration No.

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Minnetonka, MN 55343-9185
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✓ 30,812